

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**MCALLISTER EQUIPMENT CO., et al,
Plaintiffs,**

v.

Case No. 09-C-0915

**GREGORY D. QUIRK, et al.,
Defendants.**

ORDER

On April 21, 2010, the court will continue hearing evidence on plaintiffs' motion for preliminary injunction. Prior to the commencement of the hearing on March 16, 2010, I informed the parties that they should focus their arguments on the issue of whether Quirk was terminated for cause. However, assuming that plaintiffs establish that they are likely to succeed on the issue of whether Quirk was terminated for cause, then I will need to determine whether plaintiffs will suffer irreparable harm if I do not issue an injunction and whether defendants will be irreparably harmed if I do issue an injunction. Further, in the sliding scale portion of the analysis, I must balance the parties' respective irreparable harms against plaintiffs' likelihood of success. See, e.g., Roland Mach. Co. v. Dresser Indus., Inc., 749 F.2d 380, 386-88 (7th Cir. 1984). For these reasons, I hereby advise the parties that they should be prepared to address these issues at the hearing.

Dated at Milwaukee, Wisconsin, this 16 day of April, 2010.

/s _____
LYNN ADELMAN
District Judge